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BEFORE THE ARIZONA CORPORATION COMMISSION

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Arizona Corporation Commission

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COMMISSIONERS

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AZ CORP COMMISSION
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ORIGINAL

DOCKETED BY

RICHARD GAYER,
Complainant,

(Dwight D. Nodes, Hearing Officer)

DOCKET NO. G-01551A-13-0327

v.

SOUTHWEST GAS CORPORATION,
Respondent.

Complainant's

**MOTION TO COMPEL
COMPLIANCE WITH
ORDER NO. 74780**

Complainant Gayer hereby moves the Arizona Corporation Commission for an Order compelling Southwest Gas Corporation (SWGAs) to comply with **all** parts of Order No. 74780, especially the requirement regarding a Monthly Weather Adjustment (MWA) to appear on customers' bills under that name, and here by incorporates by reference his Objections, docketed on November 10, 2014, to SWGas' proposed tariff revisions.

Part 1: SWGas has deleted the Monthly Weather Adjustment and substituted a confusing "EEP Weather Adjustment", in clear violation of the text of the Order in Decision No. 74780. The Decision expressly defines the "MWA" (Decision at page 3 line 3), repeats "MWA" numerous times, and specifically orders a line item for the "MWA charge" which does not permit changing its name. SWGas' improper use of "EEP" confuses the "MWA charge" with the "EEP charge". (Decision at page 7 line 27.)

On or about 8 December 2014, Complainant received a **bill** from SWGas that lacked a "Monthly Weather Adjustment" but added an "EEP Weather Adjustment", in clear violation of the above Order. The essence of the MWA is its "Monthly" characteristic; the explanation on

1 the back of the bill is a masterpiece of confusion and obfuscation. The MWA with that name
2 must appear on the front of the bills to avoid customer confusion. This Part applies to the **bills**;
3 it also applies to the new Tariff issued by SWGas on or about November 7, 2014.

4 Part 2: There is no definition of the actual months to which the MWA applies; that is,
5 there is no statement that the applicable monthly bills are those that **cover** the “winter
6 months”, not necessarily those dated from November through April. (SWGas appears to
7 indicate the “covered” month by the right-most bar in the graphical display of past usage.) This
8 Part applies to the Tariff recently filed by SWGas on or about November 7, 2014.

9 Part 3: There is no direction to the sources of the actual Heating Degree Days (HDDs)
10 used by SWGas. According to SWGas, the sources are GHCND:USW00023160 for
11 Tucson and GHCND:USW00023 183 for Phoenix. This Part applies to the Tariff recently filed
12 by SWGas on or about November 7, 2014.

13 Part 4: There is no information about the data points to use for the regression analysis.
14 According to SWGas, the data points are from the last eight bills that **cover** December,
15 January, February and March (not necessarily the dates of the bills) starting with the most
16 recent bill, and that the actual HDD data are for those same eight months. This Part applies to
17 the Tariff recently filed by SWGas on or about November 7, 2014.

18 Part 5: There is no information about which data are used in the regression analysis for
19 the “X” values and which are used for the “Y” values. According to SWGas, the “X”
20 values are the actual HDDs for a given month and the “Y” values are the total therms
21 used during that month (so that the coefficient’s units are therms per HDD). This Part applies to
22 the Tariff recently filed by SWGas on or about November 7, 2014.

23 Part 6: Regarding the total therms used in performing the regression analysis, there is
24 no statement that the “base usage” is **not** subtracted from that total (as it is for the MWA
25 calculation). This Part applies to the Tariff recently filed by SWGas on or about November 7,
26 2014.

27 Note: Tariff page 97 is blank as being “held for future use” and is therefore available
28 for the additional information required by the Order, as set forth above.

1 CONCLUSION

2 Complainant's Motion should be granted. It is axiomatic that a utility must obey an
3 Order of the Commission, especially one to which it has stipulated.

4 SWGas should be specifically ordered to comply with all "parts" of Order 74780, as set
5 forth above. That is, it should be ordered to conform its **bills** to Part 1 and to conform its **Tariff**
6 to **all** of the Parts.

7
8 Dated: 9 December 2014

Respectfully submitted by,

Richard Gayer

9
10 RICHARD GAYER, Complainant
11 526 West Wilshire Drive
12 Phoenix, AZ 85003
13 602-229-8954
14 rgayer@cox.net

15 **CERTIFICATE OF SERVICE BY ELECTRONIC MAIL**

16 On 9 December 2014, I served a copy of this document via electronic mail on
17 Respondent's attorney, Jason Wilcock, addressed to jason.wilcock@swgas.com.

18 On 10 December 2014, I served a hard copy of this document on Jason Wilcock by first
19 class mail addressed to Jason Wilcock, Southwest Gas Corporation, 5241 Spring Mountain
20 Road, Las Vegas, Nevada 89150.

21 On 9 December 2014, I served another copy via electronic mail on Robert Gray of the
22 Commission's Staff, addressed to BGray@azcc.gov.

23 On 10 December 2014, I served a hard copy of this document on Robert Gray addressed
24 to Robert Gray, Arizona Corporation Commission, 1200 West Washington Avenue, Phoenix,
25 AZ 85007.

26 I certify under penalty of perjury under the laws of the State of Arizona that the foregoing
27 is true and correct.

28 Executed on 10 December 2014
at Phoenix, Arizona

Richard Gayer
RICHARD GAYER, Complainant